

REMARKS

Favorable reconsideration of this application, in light of the following remarks, is respectfully requested.

Claims 1-23, and 31-44 are pending in this application. No claims are amended, cancelled or added by this amendment. Claims 1, 15, 23, 31, 39 and 41 are independent.

Applicants acknowledge with appreciation the Examiner's indication that certified copies of the priority documents have been received by the United States Patent and Trademark Office (USPTO).

Drawings

Applicants respectfully request the Examiner acknowledge that the drawings have been accepted by the USPTO or identify any deficiencies believed to be present in the drawings so the Applicants have an adequate opportunity to traverse and/or address any identified deficiencies.

Personal Interview Conducted on October 3, 2007 and Additional Information

During the personal interview conducted on October 3, 2007, Applicants' representative explained how claim 1 distinguishes over Kuroda et al. (US Patent Number 6,735,155, herein Kuroda). In particular, claim 1 recites, inter alia, "a linking area to link neighboring data sections, the linking area including at least two linking frames, each linking frame including both at least one sync signal and dummy data, wherein the dummy data is located behind the at least one sync signal in each linking frame," and Examiner Gupta and Supervisory Examiner Young agreed the cited references at least fail to disclose the emphasized features of claim 1. The agreement is reflected in the Interview Summary dated October 3, 2007, which is attached hereto. As such, Applicants request further clarification regarding the rejection and/or an indication as to why the Office Action is contrary to the attached interview summary. Applicants invite Examiner Gupta to contact Applicants' representative, Scott A. Elchert at (703) 668-8049 to further discuss this matter.

Comments on "Response to Arguments" Section of the Office Action

In the Response to Arguments section of the Office Action mailed January 11, 2008,

Examiner Gupta asserts the following. “However, each frame [of Kuroda] contains a signal or dummy data in the order given by applicant. Thus, it serves the same purpose to have the information be in two frames or one frame. The data is still both there in the same order.”¹

Regarding the assertion that each frame of Kuroda contains a signal or dummy data, Applicants note that claim 1 requires that each frame include “both at least one sync signal and dummy data.” Further, the Examiner seems to indicate that it does not matter whether the stated information is in one frame or two frames. Applicants disagree. For example, a sync signal, an arrangement of sync signals or combination of sync signals can be used to provide information about a linking frame of a linking area. If there is only one sync signal, the arrangement of sync signals or combination of sync signals of a linking area cannot provide information regarding a linking frame or linking area because there is only a single sync signal in the linking area. Paragraph [0093] of the Applicants’ specification describes an example embodiment in which a combination of the sync signals are used to identify an area as a linking area.

In light of the above, Applicants maintain that Kuroda does not disclose “each linking frame including both at least one sync signal and dummy data,” and submit that it does matter whether information in the linking area is stored in one frame or two frames. Below, Applicants provide arguments further addressing Kuroda and the rejections included in the Office Action mailed January 11, 2008.

Claim Rejection under 35 U.S.C. § 102

Claims 1-3, 5-6, 8-12, 15-17, 19-20, 23, 31-33, 35-36, and 39-44 stand rejected under 35 U.S.C. §102(a) as anticipated by Kuroda. Applicants respectfully traverse these rejections as detailed below.

As discussed during the personal interview, FIG. 7 of Kuroda illustrates that when a new data section is added to the recording medium of Kuroda, the head position of the old dummy data is detected and the new recording begins at the second sync frame 42 located at the end of the original recording. The second sync frame 42 is overwritten by the new record information and becomes in fact broken due to the overwriting of data. FIG. 7 illustrates the broken data as D. Subsequent to the broken data area is written the remainder of the new recording unit,

¹ Office Action mailed January 11, 2008, page 12, lines 7-9.

followed by successive recording units. However, the second sync frame 42 of the linking area 44 does not include an ID, which the Examiner appears to assert is a sync signal.

As agreed during the interview, Kuroda at least fails to disclose, teach or suggest “a linking area to link neighboring data sections, the linking area including at least two linking frames, each linking frame including both at least one sync signal and dummy data, wherein the dummy data is located behind the at least one sync signal in each linking frame,” as recited in claim 1.

Thus, independent claim 1 is allowable over Kuroda. Furthermore, because independent claims 15, 23, 31, 39 and 41 include features similar to independent claim 1, these claims are allowable over Kuroda for at least the same reasons as independent claim 1. With regards to the claims depending from independent claims 1, 15, 23 and 31, these claims are allowable at least because of their dependence on an allowable base claim.

Therefore, Applicants respectfully request that the rejections of claims 1-3, 5-6, 8-12, 15-17, 19-20, 23, 31-33, 35-36, and 39-44 under 35 U.S.C. § 102 be withdrawn.

Claim Rejection under 35 U.S.C. § 103

Claims 4, 7, 13, 18, 21-22, 34, and 37-38 stand rejected under 35 U.S.C. §103(a) as obvious over Kuroda in view of Ueda et al. (US Patent Publication 2001/0026511, herein Ueda). Applicants respectfully submit that Ueda fails to cure the deficiencies of Kuroda described above with respect to the independent claims. Thus, Applicants respectfully traverse the rejections and submit that the listed dependent claims are patentable over Kuroda in view of Ueda et al. at least because their dependence on an allowable base claim, the basis for such allowance being previously set forth above.

CONCLUSION

In view of the above remarks and amendments, the Applicants respectfully submit that each of the rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.


Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Scott A. Elchert at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKY, & PIERCE, P.L.C.

By

A handwritten signature in black ink, appearing to read "Terry L. Clark", is written over a horizontal line.

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Interview Summary

Application No.

10/753,401

Applicant(s)

KIM ET AL.

Examiner

Parul Gupta

Art Unit

2627

All participants (applicant, applicant's representative, PTO personnel):

(1) Parul Gupta.(3) Scott Elchert.(2) Wayne Young.(4) David Kim.Date of Interview: 03 October 2007.Type: a) ☐ Telephonic b) ☐ Video Conference
c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☒ applicant's representative]Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: _____.

Claim(s) discussed: 1.Identification of prior art discussed: Kuroda.Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Currently, as the linking areas are not properly described or shown in the figures, a 112 issue may be possible. However, agreement was reached regarding the prior art in that the application differs from the invention of Kuroda.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.


WAYNE YOUNG
SUPERVISORY PATENT EXAMINER

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required